

2 **SB 6406** - S AMD - 139
3 By Senator Sutherland

4

5 On page 5, line 14, after "days." insert "Half of the monetary
6 penalties provided in this subsection shall be remitted as provided in
7 RCW 3.62.020 or 10.82.070. Half of the penalties shall be remitted to
8 the state treasurer and deposited in the motor vehicle fund."

9 On page 5, line 27, after "10.82.070." insert "The penalties
10 provided in subsection (2) of this section shall be remitted to the
11 state treasurer and deposited in the motor vehicle fund."

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15 On page 6, after line 27, insert the following:

16 "**Sec. 3.** RCW 3.62.020 and 1995 c 301 s 31 and 1995 c 291 s 5 are
17 each reenacted and amended to read as follows:

18 (1) Except as provided in subsection (4) of this section, all
19 costs, fees, fines, forfeitures and penalties assessed and collected in
20 whole or in part by district courts, except costs, fines, forfeitures
21 and penalties assessed and collected, in whole or in part, because of
22 the violation of city ordinances, shall be remitted by the clerk of the
23 district court to the county treasurer at least monthly, together with
24 a financial statement as required by the state auditor, noting the
25 information necessary for crediting of such funds as required by law.

26 (2) The county treasurer shall remit thirty-two percent of the
27 noninterest money received under subsection (1) of this section
28 (~~(except certain costs)~~) to the state treasurer for deposit, except as
29 follows:

30 (a) Under RCW 43.08.250, certain costs shall be deposited with the
31 state treasurer. "Certain costs" as used in this subsection, means
32 those costs awarded to prevailing parties in civil actions under RCW

1 4.84.010 or 36.18.040, or those costs awarded against convicted
2 defendants in criminal actions under RCW 10.01.160, 10.46.190, or
3 36.18.040, or other similar statutes if such costs are specifically
4 designated as costs by the court and are awarded for the specific
5 reimbursement of costs incurred by the state or county in the
6 prosecution of the case, including the fees of defense counsel(~~(-~~
7 ~~Money remitted under this subsection to the state treasurer shall be~~
8 ~~deposited as provided in RCW 43.08.250))); and~~

9 (b) All penalties provided for in RCW 46.44.105(2) shall be
10 deposited with the state treasurer and credited to the motor vehicle
11 fund as provided in RCW 46.44.105(8).

12 (3) The balance of the noninterest money received by the county
13 treasurer under subsection (1) of this section shall be deposited in
14 the county current expense fund.

15 (4) All money collected for county parking infractions shall be
16 remitted by the clerk of the district court at least monthly, with the
17 information required under subsection (1) of this section, to the
18 county treasurer for deposit in the county current expense fund.

19 (5) Penalties, fines, bail forfeitures, fees, and costs may accrue
20 interest at the rate of twelve percent per annum, upon assignment to a
21 collection agency. Interest may accrue only while the case is in
22 collection status.

23 (6) Interest retained by the court on penalties, fines, bail
24 forfeitures, fees, and costs shall be split twenty-five percent to the
25 state treasurer for deposit in the public safety and education account
26 as provided in RCW 43.08.250, twenty-five percent to the state
27 treasurer for deposit in the judicial information system account as
28 provided in RCW 2.68.020, twenty-five percent to the county current
29 expense fund, and twenty-five percent to the county current expense
30 fund to fund local courts.

31 **Sec. 4.** RCW 10.82.070 and 1995 c 292 s 3 are each amended to read
32 as follows:

33 (1) All sums of money derived from costs, fines, penalties, and
34 forfeitures imposed or collected, in whole or in part, by a superior
35 court for violation of orders of injunction, mandamus and other like
36 writs, for contempt of court, or for breach of the penal laws shall be
37 paid in cash by the person collecting the same, within twenty days

1 after the collection, to the county treasurer of the county in which
2 the same have accrued.

3 (2) The county treasurer shall remit monthly thirty-two percent of
4 the money received under this section (~~((except for certain costs))~~) to
5 the state treasurer for deposit (~~((as provided under RCW 43.08.250))~~) and
6 shall deposit the remainder as provided by law except as follows:

7 (a) Certain costs as provided under RCW 43.08.250 shall be
8 deposited to the state treasurer. "Certain costs" as used in this
9 subsection, means those costs awarded to prevailing parties in civil
10 actions under RCW 4.84.010 or 36.18.040, or those costs awarded against
11 convicted defendants in criminal actions under RCW 10.01.160,
12 10.46.190, or 36.18.040, or other similar statutes if such costs are
13 specifically designated as costs by the court and are awarded for the
14 specific reimbursement of costs incurred by the state or county in the
15 prosecution of the case, including the fees of defense counsel(~~((-))~~);

16 (b) All penalties provided for in RCW 46.44.105(2) shall be
17 deposited with the state treasurer and credited to the motor vehicle
18 fund as provided under RCW 46.44.105(8); and

19 (c) Costs or assessments awarded to dedicated accounts, state or
20 local, are not subject to this state allocation or to RCW 7.68.035.

21 (3) All fees, fines, forfeitures and penalties collected or
22 assessed by a district court because of the violation of a state law
23 shall be remitted as provided in chapter 3.62 RCW as now exists or is
24 later amended. All fees, fines, forfeitures, and penalties collected
25 or assessed by a superior court in cases on appeal from a lower court
26 shall be remitted to the municipal or district court from which the
27 cases were appealed.

28 **Sec. 5.** RCW 46.16.070 and 1994 c 262 s 8 are each amended to read
29 as follows:

30 (1) In lieu of all other vehicle licensing fees, unless
31 specifically exempt, and in addition to the excise tax prescribed in
32 chapter 82.44 RCW and the mileage fees prescribed for buses and stages
33 in RCW 46.16.125, there shall be paid and collected annually for each
34 truck, motor truck, truck tractor, road tractor, tractor, bus, auto
35 stage, or for hire vehicle with seating capacity of more than six,
36 based upon the declared combined gross weight or declared gross weight
37 thereof pursuant to the provisions of chapter 46.44 RCW, the following
38 licensing fees by such gross weight:

	DECLARED GROSS WEIGHT	SCHEDULE A	SCHEDULE B
1			
2	4,000 lbs.	\$ ((37.00))	\$ ((37.00))
3		<u>74</u>	<u>74</u>
4	6,000 lbs.	\$ ((44.00))	\$ ((44.00))
5		<u>88</u>	<u>88</u>
6	8,000 lbs.	\$ ((55.00))	\$ ((55.00))
7		<u>110</u>	<u>110</u>
8	10,000 lbs.	\$ ((62.00))	\$ ((62.00))
9		<u>124</u>	<u>124</u>
10	12,000 lbs.	\$ ((72.00))	\$ ((72.00))
11		<u>144</u>	<u>144</u>
12	14,000 lbs.	\$ ((82.00))	\$ ((82.00))
13		<u>164</u>	<u>164</u>
14	16,000 lbs.	\$ ((92.00))	\$ ((92.00))
15		<u>184</u>	<u>184</u>
16	18,000 lbs.	\$ ((137.00))	\$ ((137.00))
17		<u>274</u>	<u>274</u>
18	20,000 lbs.	\$ ((152.00))	\$ ((152.00))
19		<u>304</u>	<u>304</u>
20	22,000 lbs.	\$ ((164.00))	\$ ((164.00))
21		<u>328</u>	<u>328</u>
22	24,000 lbs.	\$ ((177.00))	\$ ((177.00))
23		<u>354</u>	<u>354</u>
24	26,000 lbs.	\$ ((187.00))	\$ ((187.00))
25		<u>374</u>	<u>374</u>
26	28,000 lbs.	\$ ((220.00))	\$ ((220.00))
27		<u>440</u>	<u>440</u>
28	30,000 lbs.	\$ ((253.00))	\$ ((253.00))
29		<u>506</u>	<u>506</u>
30	32,000 lbs.	\$ ((304.00))	\$ ((304.00))
31		<u>608</u>	<u>608</u>
32	34,000 lbs.	\$ ((323.00))	\$ ((323.00))
33		<u>646</u>	<u>646</u>
34	36,000 lbs.	\$ ((350.00))	\$ ((350.00))
35		<u>700</u>	<u>700</u>
36	38,000 lbs.	\$ ((384.00))	\$ ((384.00))
37		<u>768</u>	<u>768</u>
38	40,000 lbs.	\$ ((439.00))	\$ ((439.00))
39		<u>878</u>	<u>878</u>
40	42,000 lbs.	\$ ((456.00))	\$ ((546.00))
41		<u>912</u>	<u>1,092</u>
42	44,000 lbs.	\$ ((466.00))	\$ ((556.00))
43		<u>932</u>	<u>1,112</u>
44	46,000 lbs.	\$ ((501.00))	\$ ((591.00))
45		<u>1,002</u>	<u>1,182</u>
46	48,000 lbs.	\$ ((522.00))	\$ ((612.00))
47		<u>1,044</u>	<u>1,224</u>

1	50,000 lbs.	\$ ((566.00))	\$ ((656.00))
2		<u>1.132</u>	<u>1.312</u>
3	52,000 lbs.	\$ ((595.00))	\$ ((685.00))
4		<u>1.190</u>	<u>1.370</u>
5	54,000 lbs.	\$ ((642.00))	\$ ((732.00))
6		<u>1.284</u>	<u>1.464</u>
7	56,000 lbs.	\$ ((677.00))	\$ ((767.00))
8		<u>1.354</u>	<u>1.534</u>
9	58,000 lbs.	\$ ((704.00))	\$ ((794.00))
10		<u>1.408</u>	<u>1.588</u>
11	60,000 lbs.	\$ ((750.00))	\$ ((840.00))
12		<u>1.500</u>	<u>1.680</u>
13	62,000 lbs.	\$ ((804.00))	\$ ((894.00))
14		<u>1.608</u>	<u>1.788</u>
15	64,000 lbs.	\$ ((822.00))	\$ ((912.00))
16		<u>1.644</u>	<u>1.824</u>
17	66,000 lbs.	\$ ((915.00))	\$ ((1,005.00))
18		<u>1.830</u>	<u>2.010</u>
19	68,000 lbs.	\$ ((954.00))	\$ ((1,044.00))
20		<u>1.908</u>	<u>2.088</u>
21	70,000 lbs.	\$ ((1,027.00))	\$ ((1,117.00))
22		<u>2.054</u>	<u>2.234</u>
23	72,000 lbs.	\$ ((1,098.00))	\$ ((1,188.00))
24		<u>2.196</u>	<u>2.376</u>
25	74,000 lbs.	\$ ((1,193.00))	\$ ((1,283.00))
26		<u>2.386</u>	<u>2.566</u>
27	76,000 lbs.	\$ ((1,289.00))	\$ ((1,379.00))
28		<u>2.578</u>	<u>2.758</u>
29	78,000 lbs.	\$ ((1,407.00))	\$ ((1,497.00))
30		<u>2.814</u>	<u>2.994</u>
31	80,000 lbs.	\$ ((1,518.00))	\$ ((1,608.00))
32		<u>3.036</u>	<u>3.216</u>
33	82,000 lbs.	\$ ((1,623.00))	\$ ((1,713.00))
34		<u>3.264</u>	<u>3.426</u>
35	84,000 lbs.	\$ ((1,728.00))	\$ ((1,818.00))
36		<u>3.456</u>	<u>3.636</u>
37	86,000 lbs.	\$ ((1,833.00))	\$ ((1,923.00))
38		<u>3.666</u>	<u>3.846</u>
39	88,000 lbs.	\$ ((1,938.00))	\$ ((2,028.00))
40		<u>3.876</u>	<u>4.056</u>
41	90,000 lbs.	\$ ((2,043.00))	\$ ((2,133.00))
42		<u>4.086</u>	<u>4.266</u>
43	92,000 lbs.	\$ ((2,148.00))	\$ ((2,238.00))
44		<u>4.296</u>	<u>4.476</u>
45	94,000 lbs.	\$ ((2,253.00))	\$ ((2,343.00))
46		<u>4.506</u>	<u>4.686</u>
47	96,000 lbs.	\$ ((2,358.00))	\$ ((2,448.00))

1		<u>4.716</u>	<u>4.896</u>
2	98,000 lbs.	\$ ((2,463.00))	\$ ((2,553.00))
3		<u>4.926</u>	<u>5.106</u>
4	100,000 lbs.	\$ ((2,568.00))	\$ ((2,658.00))
5		<u>5.138</u>	<u>5.316</u>
6	102,000 lbs.	\$ ((2,673.00))	\$ ((2,763.00))
7		<u>5.346</u>	<u>5.526</u>
8	104,000 lbs.	\$ ((2,778.00))	\$ ((2,868.00))
9		<u>5.556</u>	<u>5.736</u>
10	105,500 lbs.	\$ ((2,883.00))	\$ ((2,973.00))
11		<u>5.766</u>	<u>5.946</u>

12 Schedule A applies to vehicles either used exclusively for hauling
13 logs or that do not tow trailers. Schedule B applies to vehicles that
14 tow trailers and are not covered under Schedule A.

15 Every truck, motor truck, truck tractor, and tractor exceeding
16 6,000 pounds empty scale weight registered under chapter 46.16, 46.87,
17 or 46.88 RCW shall be licensed for not less than one hundred fifty
18 percent of its empty weight unless the amount would be in excess of the
19 legal limits prescribed for such a vehicle in RCW 46.44.041 or
20 46.44.042, in which event the vehicle shall be licensed for the maximum
21 weight authorized for such a vehicle or unless the vehicle is used only
22 for the purpose of transporting any well drilling machine, air
23 compressor, rock crusher, conveyor, hoist, donkey engine, cook house,
24 tool house, bunk house, or similar machine or structure attached to or
25 made a part of such vehicle.

26 The following provisions apply when increasing gross or combined
27 gross weight for a vehicle licensed under this section:

28 (a) The new license fee will be one-twelfth of the fee listed above
29 for the new gross weight, multiplied by the number of months remaining
30 in the period for which licensing fees have been paid, including the
31 month in which the new gross weight is effective.

32 (b) Upon surrender of the current certificate of registration or
33 cab card, the new licensing fees due shall be reduced by the amount of
34 the licensing fees previously paid for the same period for which new
35 fees are being charged.

36 (2) The proceeds from the fees collected under subsection (1) of
37 this section shall be distributed in accordance with RCW 46.68.035.

38 **Sec. 6.** RCW 46.44.0941 and 1995 c 171 s 2 are each amended to read
39 as follows:

1 The following fees, in addition to the regular license and tonnage
2 fees, shall be paid for all movements under special permit made upon
3 state highways. All funds collected, except the amount retained by
4 authorized agents of the department as provided in RCW 46.44.096, shall
5 be forwarded to the state treasury and shall be deposited in the motor
6 vehicle fund:

7 All overlegal loads, except overweight, single	
8 trip	\$ 10.00
9 Continuous operation of overlegal loads	
10 having either overwidth or overheight	
11 features only, for a period not to exceed	
12 thirty days	\$ 20.00
13 Continuous operations of overlegal loads	
14 having overlength features only, for a	
15 period not to exceed thirty days	\$ 10.00
16 Continuous operation of a combination of	
17 vehicles having one trailing unit that	
18 exceeds fifty-three feet and is not	
19 more than fifty-six feet in length, for	
20 a period of one year	\$ 100.00
21 Continuous operation of a combination of	
22 vehicles having two trailing units	
23 which together exceed sixty-one feet and	
24 are not more than sixty-eight feet in	
25 length, for a period of one year	\$ 100.00
26 Continuous operation of a three-axle fixed	
27 load vehicle having less than 65,000	
28 pounds gross weight, for a period not	
29 to exceed thirty days	\$ ((70.00))
30	<u>140.00</u>
31 Continuous operation of a four-axle fixed load	
32 vehicle meeting the requirements of	
33 RCW 46.44.091(1) and weighing less than	
34 86,000 pounds gross weight, not to exceed	
35 thirty days	\$ 90.00
36 Continuous movement of a mobile home or manufactured home	
37 having nonreducible features not to	
38 exceed eighty-five feet in total length and	
39 fourteen feet in width, for a period of	

1	one year	\$ 150.00
2	Continuous operation of a two or three-axle	
3	collection truck, actually engaged in the	
4	collection of solid waste or recyclables,	
5	or both, under chapter 81.77 or 35.21 RCW	
6	or by contract under RCW 36.58.090, for	
7	one year with an additional six thousand	
8	pounds more than the weight authorized in	
9	RCW 46.16.070 on the rear axle of a two-axle	
10	truck or eight thousand pounds for the tandem	
11	axles of a three-axle truck. RCW 46.44.041	
12	and 46.44.091 notwithstanding, the tire limits	
13	specified in RCW 46.44.042 apply, but none of	
14	the excess weight is valid or may be permitted	
15	on any part of the federal interstate highway	
16	system	\$ ((42.00))
17		<u>84.00</u>
18		per thousand pounds

19 The department may issue any of the above-listed permits that
20 involve height, length, or width for an expanded period of consecutive
21 months, not to exceed one year.

22 Continuous operation of farm implements under a permit issued as
23 authorized by RCW 46.44.140 by:

- 24 (1) Farmers in the course of farming activities,
25 for any three-month period \$ 10.00
- 26 (2) Farmers in the course of farming activities,
27 for a period not to exceed one year \$ 25.00
- 28 (3) Persons engaged in the business of the
29 sale, repair, or maintenance of such
30 farm implements, for any three-month period \$ 25.00
- 31 (4) Persons engaged in the business of the
32 sale, repair, or maintenance of such
33 farm implements, for a period not to
34 exceed one year \$ 100.00

35 Overweight Fee Schedule

36 Excess weight over legal capacity, Cost per mile.
37 as provided in RCW 46.44.041.

1	0- 9,999 pounds	\$ ((-07))	<u>.14</u>
2	10,000-14,999 pounds	\$ ((-14))	<u>.28</u>
3	15,000-19,999 pounds	\$ ((-21))	<u>.42</u>
4	20,000-24,999 pounds	\$ ((-28))	<u>.56</u>
5	25,000-29,999 pounds	\$ ((-35))	<u>.70</u>
6	30,000-34,999 pounds	\$ ((-49))	<u>.98</u>
7	35,000-39,999 pounds	\$ ((-63))	<u>1.26</u>
8	40,000-44,999 pounds	\$ ((-79))	<u>1.58</u>
9	45,000-49,999 pounds	\$ ((-93))	<u>1.86</u>
10	50,000-54,999 pounds	\$((1-14))	<u>2.28</u>
11	55,000-59,999 pounds	\$((1-35))	<u>2.70</u>
12	60,000-64,999 pounds	\$((1-56))	<u>3.12</u>
13	65,000-69,999 pounds	\$((1-77))	<u>3.54</u>
14	70,000-74,999 pounds	\$((2-12))	<u>4.24</u>
15	75,000-79,999 pounds	\$((2-47))	<u>4.94</u>
16	80,000-84,999 pounds	\$((2-82))	<u>5.64</u>
17	85,000-89,999 pounds	\$((3-17))	<u>6.34</u>
18	90,000-94,999 pounds	\$((3-52))	<u>7.04</u>
19	95,000-99,999 pounds	\$((3-87))	<u>7.74</u>
20	100,000 pounds	\$((4-25))	<u>8.50</u>

21 The fee for weights in excess of 100,000 pounds is \$((4-25)) 8.50 plus
22 fifty cents for each 5,000 pound increment or portion thereof exceeding
23 100,000 pounds.

24 PROVIDED: (a) The minimum fee for any overweight permit shall be
25 \$((14-00)) 28.00, (b) the fee for issuance of a duplicate permit shall
26 be \$((14-00)) 28.00, (c) when computing overweight fees prescribed in
27 this section or in RCW 46.44.095 that result in an amount less than
28 even dollars the fee shall be carried to the next full dollar if fifty
29 cents or over and shall be reduced to the next full dollar if forty-
30 nine cents or under.

31 The fees levied in this section and RCW 46.44.095 do not apply to
32 vehicles owned and operated by the state of Washington, a county within
33 the state, a city or town or metropolitan municipal corporation within
34 the state, or the federal government.

35 **Sec. 7.** RCW 46.44.095 and 1993 c 102 s 5 are each amended to read
36 as follows:

1 When a combination of vehicles has been licensed to a total gross
2 weight of 80,000 pounds or when a three or more axle single unit
3 vehicle has been licensed to a total gross weight of 40,000 pounds, a
4 temporary additional tonnage permit to haul loads in excess of these
5 limits may be issued. This permit is valid for periods of not less
6 than five days at ~~((two))~~ five dollars and ~~((eighty))~~ sixty cents per
7 day for each two thousand pounds or fraction thereof. The fee may not
8 be prorated. The permits shall authorize the movement of loads not
9 exceeding the weight limits set forth in RCW 46.44.041 and 46.44.042.

10 NEW SECTION. **Sec. 8.** The department of transportation, in
11 cooperation with the department of licensing and the department of
12 revenue shall conduct a vehicle cost allocation study examining the
13 feasibility of recovering pavement damage costs through the
14 establishment of a weight-distance tax based on the weight of the
15 vehicle and the distance traveled each year in this state. Periodic
16 reports shall be submitted to the legislative transportation committee
17 and the house and senate standing committees on transportation. A
18 final report and recommendations are due July 1, 1997."

19 SB 6406 - S AMD - 139
20 By Senator Sutherland

21

22 On page 1, line 1 of the title, after "regulation;" strike the
23 remainder of the title and insert "amending RCW 46.44.096, 46.44.105,
24 10.82.070, 46.16.070, 46.44.0941, and 46.44.095; reenacting and
25 amending RCW 3.62.020; creating a new section; and prescribing
26 penalties."

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